

Referred: Resources and
Transportation
1/13/81

IN THE SENATE

EXECUTIVE ORDER NO. 51

Under the authority of art. III, sec. 23 of the Constitution of the State of Alaska and in accordance with AS 24.30.130(b), I order the following:

* Section 1. FINDINGS AND DETERMINATION. As governor, I find that consolidation of many of the inspection and enforcement functions associated with state statutes generally related to environmental health will further the interests of the state by eliminating costs associated with the provision of duplicate services by the state and by reducing the burden on industry resulting from regulation by several state agencies. In accordance with these findings, I determine that certain inspection and enforcement functions currently being performed by the Department of Natural Resources under AS 03.05 and by the Department of Health and Social Services under AS 17.05, AS 17.20, AS 18.05, and AS 18.35 should be the responsibility of the Department of Environmental Conservation.

* Sec. 2. AS 03.05.010 is repealed and reenacted to read:

CHAPTER 05. POWERS AND DUTIES OF COMMISSIONERS [COMMISSIONER]
OF NATURAL RESOURCES AND ENVIRONMENTAL CONSERVATION.

Sec. 03.05.010. POWERS AND DUTIES OF COMMISSIONERS. (a) The commissioner of natural resources shall

(1) direct, administer, and supervise promotional and experimental work, extension services, and agricultural projects for the purpose of promoting and developing the agricultural industry within the state including such fields as horticulture, dairying, cattle raising, fur farming, grain production, vegetable production, and development of other agricultural products, etc.;

(2) procure and preserve all information pertaining to the development of the agricultural industry and disseminate that information to the public;

1 (3) assist prospective settlers and others desiring to en-
2 gage in the agricultural industry in the state with information con-
3 cerning areas suitable for agriculture and other activities and programs
4 essential to the development of the agricultural industry in the state;
5 and

6 (4) review the marketing, financing, and development for
7 agricultural products inside the state including transportation with
8 special emphasis upon local production and negotiate for the marketing
9 of agricultural products of the state with federal and state agencies
10 operating in the state;

11 (5) regulate and control the entry into the state and the
12 transportation sale or use inside the state of plants, seeds, vegeta-
13 bles, fruits and berries, nursery stock, animal feeds, remedies and
14 mineral supplements, fertilizers, and agricultural chemicals in order
15 to prevent the spread of pests, diseases, or toxic substances injurious
16 to the public interest, and to protect the agricultural industry against
17 fraud, deception and misrepresentation; in this connection he may re-
18 quire registration, inspection, and testing, and establish procedures
19 and fees.

20 (b) To carry out his functions under this title, the commissioner
21 of natural resources may issue orders, regulations, quarantines, and
22 embargoes relating to

23 (1) examination and inspection of premises containing pro-
24 ducts, articles, and commodities carrying pests;

25 (2) establishment of quarantines for eradication of pests;

26 (3) establishment of standards and labeling requirements
27 pertaining to the sale of agricultural and vegetable seeds;

28 (4) tests and analyses which may be made and hearings which
29 may be held to determine whether the commissioner will issue a stop

1 order or quarantine;

2 (5) cooperation with federal and other state agencies.

3 (c) To carry out his functions under this title, the commissioner
4 of environmental conservation may issue orders, regulations, quaran-
5 tines, and embargoes relating to

6 (1) examination and inspection of premises containing pro-
7 ducts, articles, and commodities carrying pests;

8 (2) establishment of quarantines for eradication of pests;

9 (3) establishment of standards and labeling requirements
10 pertaining to the sale of meat, fish, and poultry;

11 (4) tests and analyses which may be made and hearings which
12 may be held to determine whether the commissioner will issue a stop
13 order or quarantine;

14 (5) cooperation with federal and other state agencies;

15 (6) regulation of fur farming, except as specified in AS 16.-
16 05.340(b); for purposes of this paragraph, "fur farming" means the
17 raising of animals in captivity for the purpose of marketing their fur,
18 and "domestic fur farm animal" means a fur animal born and raised in
19 captivity;

20 (7) examination and inspection of meat, fish, and poultry
21 advertised for sale or sold to the public.

22 * Sec. 3. AS 03.05.020 is amended by adding a new subsection to read:

23 (b) For purposes of this section, "commissioner" means the com-
24 missioner of environmental conservation.

25 * Sec. 4. AS 03.05.035 is amended by adding a new subsection to read:

26 (d) For purposes of this section, "commissioner" means the com-
27 missioner of environmental conservation.

28 * Sec. 5. AS 03.05.040 is amended by adding a new subsection to read:

29 (b) For purposes of this section, "commissioner" means commis-

1 sioner of natural resources with respect to those products over which
2 the commissioner of natural resources has jurisdiction under this
3 title, and the commissioner of environmental conservation with respect
4 to those products over which the commissioner of environmental conser-
5 vation has jurisdiction under this title.

6 * Sec. 6. AS 03.05.050 is amended by adding a new subsection to read:

7 (b) For purposes of this section, "commissioner" means commis-
8 sioner of natural resources with respect to those products over which
9 the commissioner of natural resources has jurisdiction under this
10 title, and commissioner of environmental conservation with respect to
11 those products over which the commissioner of environmental conserva-
12 tion has jurisdiction under this title.

13 * Sec. 7. AS 03.05.060 is amended by adding a new subsection to read:

14 (b) For purposes of this section, "commissioner" means the commis-
15 sioner of environmental conservation.

16 * Sec. 8. AS 03.05.070 is amended by adding a new subsection to read:

17 (b) For purposes of this section, "commissioner" means the commis-
18 sioner of environmental conservation.

19 * Sec. 9. AS 03.05.080 is amended by adding a new subsection to read:

20 (b) For purposes of this section, "commissioner" means the commis-
21 sioner of environmental conservation.

22 * Sec. 10. AS 03.05.090 is amended to read:

23 Sec. 03.05.090. PENALTY FOR VIOLATION. Any person who violates
24 this chapter or a rule, regulation, order or quarantine made under
25 authority of this chapter, or sells seeds failing to meet the labeling
26 requirements, standards and tests provided for by regulation of the
27 commissioner of natural resources or the commissioner of environmental
28 conservation is, upon conviction, punishable for each offense by a fine
29 of not more than \$1,000, or by imprisonment for not more than one year,

1 or by both.

2 * Sec. 11. AS 03.15 is amended by adding a new section to read:

3 Sec. 03.15.030. DEFINITION. For purposes of AS 03.15.020, "de-
4 partment" means either the Department of Natural Resources or the
5 Department of Environmental Conservation.

6 * Sec. 12. AS 03.25 is amended by adding a new section to read:

7 Sec. 03.25.030. DEFINITION. For purposes of this chapter, "com-
8 missioner" means the commissioner of environmental conservation.

9 * Sec. 13. AS 03.45.050 is amended to read:

10 Sec. 03.45.050. INSPECTION, QUARANTINE OR DESTRUCTION OF LIVE
11 STOCK. Domestic animals and poultry in the state are subject to in-
12 spection and test for all diseases, and to quarantine, slaughter or de-
13 struction when found to be infected with or suffering from any conta-
14 gious disease by an inspector of the Animal Disease Eradication Branch,
15 United States Department of Agriculture, or by a qualified inspector
16 authorized by the commissioner of environmental conservation to make
17 inspections and tests of animals. Inspections and tests of animals
18 kept for dairy purposes by dairies that offer their products to the
19 public in the state, and inspection and tests of animals kept for pri-
20 vate dairy purposes, provided they are readily accessible, shall be
21 made at least once every year, if possible, and all animals not readily
22 accessible for inspection shall be inspected before they are brought
23 into a community where other animals used for dairy purposes are kept.
24 The commissioner may make arrangements with the Animal Disease Eradi-
25 cation Branch, United States Department of Agriculture, for these in-
26 spections and tests. In the event that arrangements cannot be made
27 with the Animal Disease Eradication Branch, the commissioner may employ
28 inspectors. Inspections shall be carried on in cooperation with the
29 Animal Disease Eradication Branch and in accordance with its [RULES

1 AND] regulations.

2 * Sec. 14. AS 03.45.080 is amended to read:

3 Sec. 03.45.080. RECORD AND PAYMENT OF VALUE OF DESTROYED DAIRY
4 CATTLE. The Department of Administration shall keep a record of the
5 appraised value of all dairy cattle slaughtered or destroyed and of the
6 salvage value thereof, stating the date when the animal was slaughtered
7 or destroyed and the name of the inspector who ordered the animal
8 slaughtered or destroyed. The Department of Administration, with the
9 approval of the Department of Environmental Conservation [NATURAL RE-
10 SOURCES] shall pay the owner of the animal slaughtered or destroyed
11 two-thirds of the difference between the appraised value and the salvage
12 value of the animal slaughtered or destroyed. The appraised valuation
13 of each slaughtered animal may not exceed \$175 in the first judicial
14 district and not more than \$200 in the second and third judicial dis-
15 tricts and not more than \$250 in the fourth judicial district. No
16 payment may be made if at the time of inspection, test or destruc tion,
17 the animal was upon the premises of any person to which it had been
18 sold, shipped or delivered for the purpose of being slaughtered. No
19 payment may be made unless the owner has complied with all lawful
20 quarantine regulations.

21 * Sec. 15. AS 03.53.010 is amended by adding a new subsection to read:

22 (c) The following persons are authorized to enforce the provisions
23 of this section:

24 (1) the commissioner of environmental conservation;

25 (2) a state employee authorized by the commissioner of envi-
26 ronmental conservation.

27 * Sec. 16. AS 03.60.005 is amended by adding a new subsection to read:

28 (b) The commissioner of environmental conservation is responsible
29 for enforcing this section, and may delegate his authority as he consi-

1 ders appropriate. This does not limit the authority of peace officers.

2 * Sec. 17. AS 03.60.010 is amended to read:

3 Sec. 03.60.010. "DEPARTMENT" AND "COMMISSIONER" DEFINED. In this
4 title, unless otherwise indicated,

5 (1) "department" means the Department of Natural Resources;

6 (2) "commissioner" means the commissioner of natural resour-
7 ces.

8 * Sec. 18. AS 17.05.160(4) is amended to read:

9 (4) "department" means the Department of Environmental
10 Conservation [HEALTH AND SOCIAL SERVICES];

11 * Sec. 19. AS 17.20 is amended by adding new sections to read:

12 Sec. 17.20.072. ENFORCEMENT AUTHORITY FOR AS 17.20.010 -- 17.20.-
13 075. The commissioner is responsible for enforcing AS 17.20.010 --
14 17.20.075, and may delegate his authority as he considers appropriate.
15 This does not limit the authority of peace officers.

16 Sec. 17.20.075. DEFINITIONS FOR AS 17.20.010 -- 17.20.075. In
17 AS 17.20.010 -- 17.20.075,

18 (1) "commissioner" means the commissioner of environmental
19 conservation;

20 (2) "department" means the Department of Environmental
21 Conservation.

22 Sec. 17.20.132. ENFORCEMENT AUTHORITY FOR AS 17.20.080 -- 17.20.-
23 135. The commissioner is responsible for enforcing AS 17.20.080 --
24 17.20.135, and may delegate his authority as he considers appropriate.
25 This does not limit the authority of peace officers.

26 Sec. 17.20.135. DEFINITIONS FOR AS 17.20.080 -- 17.20.135. In
27 AS 17.20.080 -- 17.20.135,

28 (1) "commissioner" means the commissioner of health and
29 social services;

1 (2) "department" means the Department of Health and Social
2 Services.

3 Sec. 17.20.152. ENFORCEMENT AUTHORITY FOR AS 17.20.140 -- 17.20.-
4 155. The commissioner of environmental conservation is responsible for
5 enforcing AS 17.20.140 -- 17.20.155, and may delegate his authority as
6 he considers appropriate. This does not limit the authority of peace
7 officers.

8 Sec. 17.20.155. DEFINITION FOR AS 17.20.140 -- 17.20.155. In
9 AS 17.20.140 -- 17.20.155, "department" means the Department of Environ-
10 mental Conservation.

11 Sec. 17.20.172. ENFORCEMENT AUTHORITY FOR AS 17.20.160 -- 17.20.-
12 175. The commissioner is responsible for enforcing AS 17.20.160 --
13 17.20.175, and may delegate his authority as he considers appropriate.
14 This does not limit the authority of peace officers.

15 Sec. 17.20.175. DEFINITIONS FOR AS 17.20.160 -- 17.20.175. In
16 AS 17.20.160 -- 17.20.175,

17 (1) "commissioner" means the commissioner of health and
18 social services;

19 (2) "department" means the Department of Health and Social
20 Services.

21 * Sec. 20. AS 17.20.180 is amended to read:

22 Sec. 17.20.180. REGULATIONS. The Department of Environmental
23 Conservation and the Department of Health and Social Services [DEPART-
24 MENT] may adopt [PROMULGATE] regulations for the efficient enforcement
25 of their respective portions of this chapter. Each [THE] department
26 may make the regulations conform, in so far as practicable, with those
27 adopted [PROMULGATED] under the federal act.

28 * Sec. 21. AS 17.20.200 is amended to read:

29 Sec. 17.20.200. INSPECTIONS AND EXAMINATIONS. (a) The commis-

1 sioner of environmental conservation or his agent shall have free ac-
2 cess at reasonable hours to a factory, warehouse, or establishment in
3 which foods [, DRUGS, DEVICES,] or cosmetics are manufactured, proces-
4 sed, packed, or held for introduction into commerce, or to enter a
5 vehicle being used to transport or hold these foods [, DRUGS, DEVICES,]
6 or cosmetics in commerce, in order to

7 (1) inspect a factory, warehouse, establishment, or vehicle
8 to determine if the provisions of his respective portions of this
9 chapter are being violated, and

10 (2) secure samples or specimens of a food [, DRUG, DEVICE,]
11 or cosmetic after paying or offering to pay for the sample.

12 (b) The commissioner of environmental conservation shall make or
13 have made examinations of samples secured under this section to deter-
14 mine whether or not a provision of his respective portions of this
15 chapter is being violated.

16 (c) The commissioner of health and social services has the same
17 powers and duties with respect to drugs and devices as the commissioner
18 of environmental conservation has with respect to food and cosmetics
19 under (a) and (b) of this section.

20 * Sec. 22. AS 17.20.210 is amended to read:

21 Sec. 17.20.210. REIMBURSEMENT FOR EXPENSES. The Department
22 of Environmental Conservation and the Department of Health and Social
23 Services [DEPARTMENT] may make expenditures from money appropriated for
24 the administration of their respective portions of this chapter to
25 reimburse authorized employees or agents for amounts expended without
26 receipt, covering purchases or services obtained in securing evidence
27 of a violation of their respective portions of this chapter, upon
28 vouchers certified by the disbursing and certifying officers of the
29 appropriate department. Disbursement shall not exceed \$800 in any

1 biennium.

2 * Sec. 23. AS 17.20.220 is amended to read:

3 Sec. 17.20.220. PUBLICATION OF REPORTS AND INFORMATION. (a) The
4 commissioner of environmental conservation and the commissioner of
5 health and social services may have published from time to time reports
6 summarizing judgments, decrees, and court orders which have been ren-
7 dered under their respective portions of this chapter, including the
8 nature of the charge and the disposition of it.

9 (b) The commissioner of environmental conservation may have dis-
10 seminated information regarding food [, DRUGS, DEVICES,] and cosmetics
11 which he considers necessary in the interest of public health and the
12 protection of the consumer against fraud. This section does not prohi-
13 bit the commissioner from collecting, reporting, and illustrating the
14 results of his investigations.

15 (c) The commissioner of health and social services has the same
16 power with respect to drugs and devices as the commissioner of environ-
17 mental conservation has with respect to food and cosmetics under (b) of
18 this section.

19 * Sec. 24. AS 17.20.230 is amended to read:

20 Sec. 17.20.230. DETENTION OR EMBARGO OF GOODS. (a) Whenever the
21 commissioner of environmental conservation finds or has probable cause
22 to believe that a food [, DRUG, DEVICE,] or cosmetic is adulterated, or
23 so misbranded as to be dangerous or fraudulent within the meaning of
24 this chapter, he shall affix to it a tag or other appropriate marking,
25 giving notice that it is or is suspected of being adulterated or mis-
26 branded and has been detained or embargoed, and warning all persons not
27 to remove or dispose of it by sale or otherwise until permission for
28 removal or disposal is given by the commissioner or the court. It is
29 unlawful for a person to remove or dispose of a detained or embargoed

1 article by sale or otherwise without this permission.

2 (b) The commissioner of health and social services has the same
3 duty with respect to drugs and devices as the commissioner of environ-
4 mental conservation has with respect to food and cosmetics under (a) of
5 this section.

6 * Sec. 25. AS 17.20.240 is amended to read:

7 Sec. 17.20.240. PETITION FOR LIBEL FOR CONDEMNATION. When an
8 article detained or embargoed under AS 17.20.230 has been found by the
9 commissioner of environmental conservation or the commissioner of
10 health and social services, as the case may be, to be adulterated or
11 misbranded, he shall petition the superior court for a libel for con-
12 demnation of the article. When that [THE] commissioner finds that a
13 detained or embargoed article is not adulterated or misbranded, he
14 shall remove the tag or other marking.

15 * Sec. 26. AS 17.20.250 is amended to read:

16 Sec. 17.20.250. DESTRUCTION OF ADULTERATED OR MISBRANDED GOODS.
17 If the superior court finds that a detained or embargoed article is
18 adulterated or misbranded, it shall, after entry of the decree, be
19 destroyed at the expense of the claimant, under the supervision of the
20 commissioner of environmental conservation or the commissioner of
21 health and social services, as the case may be. Court costs and fees
22 and storage and other proper expenses shall be taxed against the claim-
23 ant of the article.

24 * Sec. 27. AS 17.20.260 is amended to read:

25 Sec. 17.20.260. EXEMPTION FROM DESTRUCTION. When the adultera-
26 tion or misbranding can be corrected by proper labeling or processing
27 of the article, and after entry of the decree and after costs, fees,
28 and expenses have been paid and a good and sufficient bond, conditioned
29 that the article will be properly labeled or processed has been exe-

1 cuted, the court may order that the article be delivered to the clai-
2 mant for labeling or processing under the supervision of the commis-
3 sioner of environmental conservation or the commissioner of health and
4 social services, as the case may be. The claimant shall pay the ex-
5 pense of supervision. The bond shall be returned to the claimant of
6 the article on representation to the court by the appropriate commis-
7 sioner that the article is no longer in violation of this chapter, and
8 that the expenses of supervision have been paid.

9 * Sec. 28. AS 17.20.270 is amended to read:

10 Sec. 17.20.270. IMMEDIATE DESTRUCTION OF CONTAMINATED FOOD.

11 Meat, sea food, poultry, vegetable, fruit, or other perishable article
12 in any room, building, vehicle of transportation or other structure
13 which is unsound, or contains filthy, decomposed, or putrid substance,
14 or a substance that may be poisonous or deleterious to health or other
15 wise unsafe, is a nuisance. Whenever the commissioner of environmental
16 conservation finds such an article, he shall immediately condemn or
17 destroy it or in any other manner render it unsalable as human food.

18 * Sec. 29. AS 17.20.280 is amended to read:

19 Sec. 17.20.280. INJUNCTION PROCEEDINGS. The commissioner of
20 environmental conservation and the commissioner of health and social
21 services may apply to the superior court for, and the court has juris-
22 diction to grant, a temporary or permanent injunction restraining a
23 person from violating their respective portions of AS 17.20.290.

24 * Sec. 30. AS 17.20.290 is amended by adding new subsections to read:

25 (b) The commissioner of environmental conservation or his desig-
26 nee is responsible for enforcing the provisions of paragraphs (a)(1),
27 (2), (3), (4), (6), (7), (8), (9), and (10) of this section, if the
28 subject of the prohibited act involves food or cosmetics, and the
29 provisions of paragraph (a)(12) of this section. This does not limit

1 the authority of peace officers.

2 (c) The commissioner of health and social services or his desig-
3 nee is responsible for enforcing the provisions of paragraphs (a)(1),
4 (2), (3), (4), (6), (7), (8), (9), and (10) of this section, if the
5 subject of the prohibited act involves drugs or devices, and the provi-
6 sions of paragraphs (a)(5), (11), and (13) of this section. This does
7 not limit the authority of peace officers.

8 * Sec. 31. AS 17.20.330 is amended to read:

9 Sec. 17.20.330. LIABILITY FOR DISSEMINATION OF FALSE ADVERTISING.

10 No publisher, radio-broadcast licensee, or agency or medium for the
11 dissemination of an advertisement, except the manufacturer, packer,
12 distributor, or seller of the article to which a false advertisement
13 relates, is liable under AS 17.20.310 for the dissemination of the
14 false advertisement, unless he has refused [, ON] the request of the
15 commissioner of health and social services to furnish [THE COMMISSIONER]
16 the name and post office address of the manufacturer, packer, distri-
17 butor, seller, or advertising agency, residing in the state who caused
18 him to disseminate the advertisement.

19 * Sec. 32. AS 17.20.350 is amended to read:

20 Sec. 17.20.350. REPORT OF MINOR VIOLATIONS. Nothing in this
21 chapter requires either the commissioner of environmental conservation
22 or the commissioner of health and social services, as the case may be,
23 to report minor violations of their respective portions of this chapter
24 for prosecution, or for the institution of libel or injunction pro-
25 ceedings, when that [THE] commissioner believes that the public interest
26 will be adequately served by a suitable written notice or warning.

27 * Sec. 33. AS 17.20.360 is amended to read:

28 Sec. 17.20.360. HEARING BEFORE REPORT OF CRIMINAL VIOLATION. The
29 attorney general, to whom the commissioner of environmental conservation

1 or the commissioner of health and social services, as the case may be,
2 reports a violation of this chapter, shall institute appropriate pro-
3 ceedings in the superior court without delay and prosecute them in the
4 manner required by law. Before a violation of this chapter is reported
5 to the attorney general, the person against whom the proceeding is con-
6 templated shall be given appropriate notice and an opportunity to
7 present his views before the appropriate commissioner, orally or in
8 writing, in person or by attorney, with regard to the contemplated pro-
9 ceeding.

10 * Sec. 34. AS 18.05.040(a)(18) is amended to read:

11 (18) the regulation of quality and purity of commercially com-
12 pressed [AIR AND] oxygen sold for human respiration;

13 * Sec. 35. AS 18.35.090(2) is amended to read:

14 (2) "department" means the Department of Environmental
15 Conservation [HEALTH AND SOCIAL SERVICES].

16 * Sec. 36. AS 18.35.230(1) is amended to read:

17 (1) "department" means the Department of Environmental
18 Conservation [HEALTH AND SOCIAL SERVICES];

19 * Sec. 37. AS 18.35 is amended by adding new sections to read:

20 Sec. 18.35.350. ENFORCEMENT AUTHORITY. The commissioner of
21 environmental conservation or his designee is responsible for enforcing
22 the provisions of AS 18.35.300 -- 18.35.340 and the provisions of
23 regulations adopted under AS 18.35.360. This does not limit the
24 authority of peace officers.

25 Sec. 18.35.360. REGULATIONS. The Department of Environmental
26 Conservation may adopt regulations to implement the provisions of
27 AS 18.35.300 -- 18.35.350.

28 * Sec. 38. AS 44.62.330(a)(27) is amended to read:

29 (27) Department of Health and Social Services and Department

1 of Environmental Conservation under Alaska Food, Drug, and Cosmetic Act
2 (AS 17.20), and Department of Health and Social Services in connection
3 with the licensing of embalmers under AS 08.44.010

4 * Sec. 39. AS 44.62.330(a)(30) is amended to read:

5 (30) Department of Environmental Conservation [HEALTH AND
6 SOCIAL SERVICES], under AS 18.35.010 -- 18.35.090, concerning the
7 regulations of tourist and trailer camps, motor courts, and motels

8 * Sec. 40. AS 44.46.020 is amended by adding a new paragraph to read:

9 (5) adopt regulations for

10 (A) the prevention and control of public health nui-
11 sances;

12 (B) the regulation of sanitation and sanitary practices
13 in the interest of public health;

14 (C) standards of cleanliness and sanitation in connec-
15 tion with the construction, operation, and maintenance of a camp,
16 cannery, food handling establishment, food manufacturing plant,
17 mattress manufacturing establishment, industrial plant, school,
18 barbershop, hairdressing or cosmetology establishment, soft drink
19 establishment, beer and wine dispensaries, and for other similar
20 establishments in which lack of sanitation may create a condition
21 which causes disease;

22 (D) the regulation of quality and purity of commer-
23 cially compressed air sold for human respiration.

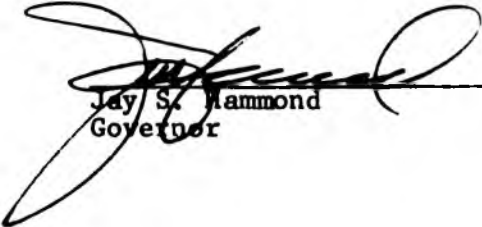
24 * Sec. 41. AS 17.20.370(1) and (2); AS 18.05.040(a)(2), (3), and (9);
25 and AS 44.29.020(4) are repealed.

26 * Sec. 42. TRANSITION. All litigation, hearings, investigations and
27 other proceedings pending under a law amended or repealed by this order, or
28 in connection with functions transferred by this order, continue in effect
29 and may be continued and completed notwithstanding a transfer or amendment

1 or repeal provided for in this order. Certificates, orders, and regulations
2 issued or adopted under authority of a law amended or repealed by this order
3 remain in effect for the term issued, until revoked, vacated, or otherwise
4 modified under the provisions of this order. All contracts, rights, liabil-
5 ities, and obligations created by or under a law amended or repealed by this
6 order, and in effect on the effective date of this order, remain in effect
7 notwithstanding this order's taking effect. Records, equipment, and other
8 property of agencies of the state whose functions are transferred under this
9 order shall be transferred commensurate with the provisions of this order.

10 * Sec. 43. This order takes effect July 1, 1981.

11
12 DATED: Jan 12, 1981

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14 Jay S. Hammond
15 Governor
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